



Housing Advisory Commission

## HOUSING ADVISORY COMMISSION

# AGENDA

**Special Meeting**  
**Thursday, July 7, 2022**  
**7:00 pm**

Mike Uberti, Secretary  
HAC@cityofberkeley.info

### **PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Housing Advisory Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

**To access the meeting remotely using the internet: Join from a PC, Mac, iPad, iPhone, or Android device use: <https://us06web.zoom.us/j/82836640285>.** If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon on the screen.

**To join by phone: Dial US: 1-669-900-6833 and Enter Meeting 828 3664 0285.** If you wish to comment during the public comment portion of the agenda, press \*9 and wait to be recognized by the Chair.

**Written communications submitted by mail or e-mail to the Housing Advisory Commission by 5:00 p.m. the day before the meeting** will be distributed to the members of the Committee in advance of the meeting and retained as part of the official record. City offices are currently closed and cannot accept written communications in person.

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**All agenda items are for discussion and possible action.**

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**Public comment policy:** Members of the public may speak on any items on the Agenda and items not on the Agenda during the initial Public Comment period. Members of the public may also comment on any item listed on the agenda as the item is taken up. Members of the public may not speak more than once on any given item. The Chair may limit public comments to 3 minutes or less.

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1. **Roll Call**
2. **Agenda Approval**
3. **Public Comment**
4. **Approval of the May 5, 2022 Special Meeting Minutes (Attachment 1)**
5. **Discussion and Possible Action to Investigate Violations and Discrimination at Harriet Tubman Terrace – Commissioner Mendonca (Attachment 2)**

6. **Discussion and Possible Action to Extend Community Agency Contracts for One Year at Existing Levels and Postpone the Community Agency Request for Proposal (RFP) Until FY 2024 – All/Staff (Attachment 2)**
7. **Discussion and Possible Action to Adopt 2022 Regular Meeting Calendar – All/Staff (Attachment 3)**
8. **Update on Council Items (Future Dates Subject to Change)**
9. **Announcements/Information Items**
  - a. City of Berkeley Housing Element Now available for comment through July 14:  
<https://berkeleyca.gov/community-recreation/news/provide-comments-draft-plan-create-more-housing-berkeley>
10. **Future Items**
  - a. Amendments to the Berkeley Housing Code

## 11. **Adjourn**

### Attachments

1. Draft May 5, 2022 Special Meeting Minutes
2. Commissioner Mendonca, Harriet Tubman Terrace Renewal Project
3. Joshua Oehler, HHCS, Extend Community Agency Contracts for One Year at Existing Levels and Postpone the Community Agency Request for Proposal (RFP) Until FY 2024
4. Mike Uberti, HHCS, 2022 HAC Regular Meeting Calendar

### Correspondence

5. Chahd Othmane, Re: below market 2 bedroom unit vacating soon

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Secretary of the commission. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the Secretary for further information.

Written communications addressed to the Housing Advisory Commission and submitted to the Commission Secretary will be distributed to the Commission prior to the meeting. This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900.

**COMMUNICATION ACCESS INFORMATION:**



To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at (510) 981-6418 (V) or (510) 981-6347 (TDD) at least three business days before the meeting date.



**HOUSING ADVISORY COMMISSION**  
**Thursday, May 5, 2022**

Housing Advisory Commission

**Time: 7:04 pm**  
**Held via Video and**  
**Teleconference**

**Secretary – Mike Uberti**  
**HAC@cityofberkeley.info**

**DRAFT MINUTES**

**1. Roll Call**

Present: Nico Calavita, Sara Fain, Xavier Johnson, Mari Mendonca, Debbie Potter, Alexandria Rodriguez, Ainsley Sanidad, and Leah Simon-Weisberg.

Absent: Libby Lee-Egan (excused).

Commissioners in attendance: 8 of 8

Staff Present: Mike Uberti, Jenny Wyant.

Members of the public in attendance: 5

Public Speakers: 2

**2. Agenda Approval**

Action: M/S/C (Potter/Calavita) to approve the agenda.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, Sanidad, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (excused).

**3. Public Comment**

There were two speakers during public comment.

**4. Approval of the April 7, 2022 Special Meeting Minutes**

Action: M/S/C (Potter/Fain) to accept the April 7, 2022 Special Meeting Minutes.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, Sanidad, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (excused).

**5. Discussion and Possible Action on St. Paul Terrace (2024 Ashby) Development Funding**

Action: M/S/C (Simon-Weisberg/Potter) to recommend that City Council reserve an additional \$8,551,040 for Community Housing Development Corporation's St. Paul Terrace (2024 Ashby), conditioned on obtaining planning entitlements by June 28, 2022.

Vote: Ayes: Calavita, Fain, Johnson, Mendonca, Potter, Rodriguez, Sanidad, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Lee-Egan (excused).

**6. Update on Council Items (Future Dates Subject to Change)**

Housing Advisory Commission Special Meeting Minutes  
May 5, 2022  
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**7. Announcements/ Information Items**

**8. Future Items**

**9. Adjourn**

Action: M/S/C (Fain/ Rodriguez) to adjourn the meeting at 7:30 pm.

Vote: Ayes: Calavita, Fain, Johnson, Lee-Egan, Mendonca, Potter, Sanidad, and Simon-Weisberg. Noes: None. Abstain: None. Absent: Rodriguez (unexcused).

Approved:



\_\_\_\_\_, Mike Uberti, Secretary

Internal

Housing Advisory Commission

To: Housing Advisory Commission

Submitted by: Mari Mendonca, District #8

**Subject: Harriet Tubman Terrace Renewal Project**

### RECOMMENDATION

Investigate violations of ADA guidelines and standards, health and safety, sub-standard renovations/"upgrades", harassment and retaliation against tenants. Report back, enforce and follow up with any corrections and/or reparations needing to be made for any and all violations enacted by the responsible parties.

### FISCAL IMPACTS OF RECOMMENDATION

Staff time to research, investigate, report and enforce with ongoing follow up, making sure that tenants experience continued safety, protections, reparations and compliance from the contractors, vendors, management and all responsible parties.

### CURRENT SITUATION AND ITS EFFECTS

Harriet Tubman Terrace Renewal Project: In theory claims to provide long needed repair for safety, habitability and added "upgrades" for tenants' advancing our goals for 'providing state-of-the-art, well-maintained infrastructure, amenities and facilities'. This project is currently violating the health, safety and well being of the tenants along with compromising the functionality of the units and the integrity of the physical building. Tenants have been under constant and ongoing elder abuse beginning with the placement of FPI Management LLC since Sept 1, 2021. They have been exposed to construction contamination (with no pre-warning) since Nov 2021 as well as inadequate and abusive temporary, forced relocation of tenants into substandard units (in the building) with roaches, rodents and filth, inadequate upgrades (actually downgrades), unskilled labor for all services, ADA code violations, retaliation and threats of eviction for inquiring about legitimate, legal concerns and violations.

### RATIONALE FOR RECOMMENDATION

Elders in circumstances such as these have become prey to owner/management predator relationships who have the expertise and resource to commit crimes against them while keeping them locked away from the ability to advocate for their legal rights. They have reached out to City officials, departments, legal advocates and attorneys only to be met with insurmountable "systemic hoops" -unable to garner any assistance towards justice for their concerns.

Internal

The hope is that with the passing of this recommendation from the HAC commissioners an investigation will correct and repair all violations and act as a force that will put an end to these types of abuses that are rampant in our community and a disgrace to our humanity and our society's legal structures.

Public



Health Housing and  
Community Services Department  
Office of the Director

## MEMORANDUM

**To:** Housing Advisory Commission (HAC)  
Human Welfare and Community Action Commission (HWCAC)  
Homeless Services Panel of Experts (HSPE)

**From:** Lisa Warhuus, Director, Health, Housing and Community Services

**Date:** June 29, 2022

**Subject:** **Recommendation to Extend Community Agency Contracts for One Year at Existing Levels and Postpone the Community Agency Request for Proposal (RFP) Until FY 2024.**

The purpose of this memo is to notify the commissions involved in the City of Berkeley's Community Agency Request for Proposal (RFP) process about staff's likely recommendation to City Council in September 2022 to extend current contracts for one year and postpone the next RFP cycle until FY 2024. Commissioners are invited to provide feedback on this recommendation at upcoming meetings (see schedule below) and to capture commission input in the meeting minutes. The City also provided this memo to community agencies funded through this process to inform them of staff's likely recommendation and the upcoming public meetings. The community agencies will also be invited to give feedback on this recommendation through a brief online survey.

### RECOMMENDATION

The Health, Housing and Community Services department (HHCS) recommends that all existing community agency contracts under the community agency RFP process be extended for one year at the current baseline one-year funding amount, and that the four-year Community Agency RFP process be postponed for one fiscal year. This extension would apply to all contracts awarded under the FY 2020-2023 RFP. It would not include special funds awarded outside of the RFP process. The administration of the Community Agency RFP process would be rescheduled to occur in FY 2024, for a contract cycle beginning in FY 2025.

### KEY CONSIDERATIONS

There are four main factors prompting this proposal and one significant tradeoff to consider.

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1. **Community agencies are recalibrating and stabilizing their operations following pandemic disruptions.** During COVID-19, many of the City’s non-profit partners have had to re-configure their service models, while facing critical staff and supply shortages. Extending the funding will provide additional time to help funded agencies steady and rebuild their operations moving forward.
2. **Current performance data is insufficient for guiding future funding decisions.** Most available agency service and outcome data during COVID-19 are outside of historical “normal” ranges. This atypical information is of limited use for evaluation purposes. By postponing the RFP, City staff and commissions would have the benefit of at least a year of relatively standard performance data, allowing for better analysis and stronger funding recommendations.
3. **HHCS currently lacks the staff capacity to oversee and administer the RFP process.** Among the department’s many vacancies are two full-time positions that are critical to the success of the RFP process. The City’s role in launching the RFP process needs to begin no later than September 2022. Due in part to the severity of its own staffing shortage, Human Resources is unable to support the filling of these positions in time to meet the RFP timelines for fall FY 2022.
4. **Postponing the RFP will align the community agency funding with the City’s budget process.** After adopting a one-year budget in FY 2022, the City has gone back to a two-year budget cycle for FY 2023/2024. Aligning the start of the new community agency RFP funding cycle with the first year of the FY2025/2026 City budget cycle will aid in seamless budget development and projections.

There are also potential tradeoffs associated with the postponement, including the inability for agencies to request higher funding amounts in response to rising operating costs or program expansion. Additionally, agencies that currently do not receive funding through this RFP process will have to wait an additional year to apply. Should City Council approve this recommendation, it may want to consider one-year funding opportunities for some unfunded agencies.

NEXT STEPS

HHCS welcomes feedback from the commissions involved in the RFP for incorporating into the recommendation. Feedback will be collected by an HHCS representative at the commission meetings listed below. HHCS’s recommendation will be considered by City Council in September 2022.

Commission	Meeting Date, Time and Link
Homeless Services Panel of Experts (HSPE)	7/6/22 at 7 p.m. <a href="https://berkeleyca.gov/your-government/boards-commissions/homeless-services-panel-experts">https://berkeleyca.gov/your-government/boards-commissions/homeless-services-panel-experts</a>
Housing Advisory Commission (HAC)	7/7/22 at 7 p.m.

Public

**Recommendation to Extend Community Agency Contracts for One Year**

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	<a href="https://berkeleyca.gov/your-government/boards-commissions/housing-advisory-commission">https://berkeleyca.gov/your-government/boards-commissions/housing-advisory-commission</a>
2020 Vision Commission TBD	TBD
Human Welfare and Community Action Commission (HWCAC)	Date and Time TBD <a href="https://berkeleyca.gov/your-government/boards-commissions/human-welfare-and-community-action-commission">https://berkeleyca.gov/your-government/boards-commissions/human-welfare-and-community-action-commission</a>



Health Housing and  
Community Services Department  
**Office of the Director**

## ATTACHMENT 1: BACKGROUND ON THE COMMUNITY AGENCY RFP PROCESS

### OVERVIEW OF THE COMMUNITY AGENCY RFP PROCESS

The City of Berkeley's Health, Housing, and Community Services Department (HHCS) administers local, state, and federal funding for services to low-to-moderate income Berkeley residents through a Request for Proposals (RFP) process. Funds in the RFP support a wide range of services, primarily provided by non-profit community agencies.

The last RFP was released in FY 2019 for a four-year contract (FY 2020 – FY 2023). As noted in the "Recommendation to Extend Community Agency Contracts for One Year at Existing Levels and Postpone the Community Agency Request for Proposal (RFP) Until FY 2024" memo from HHCS, HHCS is seeking to delay the start of the next Community Agency RFP for the fall/winter of FY 2024. See that memo for a greater explanation of the reasoning behind HHCS' recommendation.

The RFP is coordinated between HHCS staff in the HCS and Office of the Director (Berkeley's 2020 Vision) Divisions. Funding recommendations made in response to the RFP involve staff and four commissions across three departments: 1) the Housing Advisory Commission (HAC) in HHCS, 2) the Human Welfare and Community Action Commission (HWCAC) in HHCS, 3) the Parks, Recreation, and Waterfront (PRW) Commission in PRW, and 4) the Homeless Services Panel of Experts (HSPE) in the City Manager's Office. The process culminates in City Council approval for funding allocations in June.

The RFP process for community agency funding is an essential tool to ensure that City funds are allocated to agencies that can demonstrate their service outcomes and their capacity to effectively manage the requirements of City funding. The RFP process provides community agencies the opportunity to both inform the City of the needs within their service areas through data and storytelling, as well as impart detailed administrative and financial information that support the management of their proposed services. It is also an opportunity for the City to review funding priorities and to set new goals, service measures, and outcomes for City-funded programs.

The RFP process (including RFP development, RFP release, application review and Council approval) spans nine months. Every program that responds to the RFP is evaluated via rigorous review of applications and past performance by staff, the four commissions, and finally by City Council. On average, each commission meets bi-weekly over three months. Commissions can require presentations from proposers, conduct site visits and request additional information. City staff support the commission

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Public

**ATTACHMENT 1: BACKGROUND ON THE COMMUNITY AGENCY RFP PROCESS**

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work by scheduling and attending the meetings and site visits, taking notes, writing minutes, following up with community agencies to request information, preparing additional analyses, researching alternatives, and mediating other issues as they arise. This is a demonstrably robust, labor-intensive, and holistic process, and one that solicits diverse feedback and analysis in order to ensure that the selected agencies are prepared to meet the needs of the community.

In the last RFP process, the commissions made invaluable contributions to the City's recommendation to City Council. The commissions and staff grounded their recommendations in a thorough assessment of community needs, evaluation of agency capacity and past performance, and alignment with funder requirements and City priorities. Council adopted the City Manager recommendations in part because of the outstanding work of the participating commissions in ensuring that the allocation of funding and services was efficient, effective, and equitable.



Health Housing and  
Community Services Department  
**Housing & Community Services Division**

**MEMORANDUM**

**To:** Housing Advisory Commission

**From:** Mike Uberti, Secretary

**Date:** June 30, 2022

**Subject:** **2020 Housing Advisory Commission Proposed Meeting Dates**

The Housing Advisory Commission (HAC) needs to adopt a regular meeting calendar for the remainder of the 2022 calendar year. The HAC historically meets on the first Thursday of the month. The commission recesses in August and December.

Meetings will be held virtually through the end of the year.

<b>Month</b>	<b>Meeting Day and Date</b>	<b>Time</b>
August	Recess	
September	Thursday, 09/01/22	7:00 pm
October	Thursday, 10/06/22	7:00 pm
November	Thursday, 11/03/22	7:00 pm
December	Recess	

**Uberti, Mike**

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**From:** Chahd Othmane <chahd182002@gmail.com>  
**Sent:** Wednesday, June 01, 2022 9:49 PM  
**To:** Trista Sunga  
**Cc:** Fourth & U; Health, Housing & Community Services; barbara.lee@mail.house.gov; Housing Advisory Commission; Rent Stabilization Board  
**Subject:** Re: below market 2 bedroom unit vacating soon

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello Trista,

I am adding to this thread senator Barbara Lee, the housing advisory commission of the city of Berkeley, the city of Berkeley rent board , the health housing and community services department of the city of Berkeley.

I wanted to follow up on my latest email.

I still have not received a response on what is my ranking in the 2 bedrooms waitlist at the 4th and U property in Berkeley?

The process of selecting new tenants for vacated below market rate units needs to be transparent, and offer equal opportunity to all eligible tenants that are registered on the waitlist.

This specific property, had issues in the past in the way below market apartments were awarded. The city of Berkeley is well aware of this and also the management company.

I am afraid that this bound to happen again, and I will be discriminated against as I do not have friends or family working for Essex the management company managing this building, and as you are refusing to clearly tell me what is my position in the waitlist for the soon to be vacant 2 bedrooms unit. Located at 713 Essex Way Apt 203 Berkeley 94710.

Again I have been on the waitlist for about 12 years now and I would like to understand clearly how the process of selection of the new tenant will be conducted?

I look forward to your response.

Regards,

Seif

(510) 478-7608


On Mon, May 23, 2022 at 9:11 AM Fourth & U <[FourthU@essex.com](mailto:FourthU@essex.com)> wrote:

Hello,

As we have stated the waitlist is extensive and there are people who have been on it for many years. We are going in the order of our waitlist.

**Fourth & U, Avenue 64, EMME, and Courtyards at 65<sup>th</sup>,**  
[6350 Christie Avenue, Emeryville, CA 94608](https://www.essexapartmenthomes.com)

 [essexapartmenthomes.com](https://www.essexapartmenthomes.com)

 510-654-9601



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**From:** Chahd Othmane <[chahd182002@gmail.com](mailto:chahd182002@gmail.com)>  
**Sent:** Sunday, May 22, 2022 7:37 PM  
**To:** Fourth & U <[FourthU@essex.com](mailto:FourthU@essex.com)>  
**Cc:** Trista Sunga <[TMisener@essex.com](mailto:TMisener@essex.com)>  
**Subject:** Re: below market 2 bedroom unit vacating soon

**[EXTERNAL]**

Hi Trista,

I'm reaching out and insisting on the 2 bedrooms unit this time. As I know for a fact that a below market unit is vacating on June 15th.

It is : 713 Essex Way unit 203

I'm only asking to be given a fair chance to get this unit, since I have been on the waitlist for a below market 2 bedrooms unit for Moore than 10 years. It is fair to assume that I would be on top of the waitlist.

Thank you

Seif

On Wed, May 18, 2022 at 3:06 PM Fourth & U <[FourthU@essex.com](mailto:FourthU@essex.com)> wrote:

Hello,

The waitlist is very extensive, and we do not often have low income 2 bedrooms on the market. In the last year, we may have had only 0 50% low-income 2 bedroom homes available and it is likely that was the case years prior aswell.

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**Trista Sunga** |

**Fourth & U, Avenue 64, EMME, and Courtyards at 65<sup>th</sup>,**  
[6350 Christie Avenue, Emeryville, CA 94608](https://www.essexapartmenthomes.com)

 [essexapartmenthomes.com](https://www.essexapartmenthomes.com)

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**From:** Chahd Othmane <[chahd182002@gmail.com](mailto:chahd182002@gmail.com)>

**Sent:** Wednesday, May 18, 2022 3:01 PM

**To:** Trista Sunga <[TMisener@essex.com](mailto:TMisener@essex.com)>; Fourth & U <[FourthU@essex.com](mailto:FourthU@essex.com)>

**Subject:**

[EXTERNAL]

Please note that I have been registered on the below-market waitlist for 2 bedrooms in your building since 2011

If you check the record you will see that you reached out to me on many occasions about a 1 bedroom vacancy but every time I insisted on remaining on the 2 bedroom waitlist.

It has been more than 10 years now and I am positive I am high on the 2 bedroom waitlist if I'm not the first.

Please check your records again and let me know.

My name is :

Contact phone numbers that you might have for me :

Thank you